[19th October 1927

A.—(*a*) Yes.

(*b*) The Collector made certain proposals for the closing of the Padne bar but not for the opening of a bar at Kavoy. The Kavoy bar was then open.

(*c*) The hon. Member's attention is invited to the answer to clause (*c*) of question No. 147.

Damages caused by the Padne bar in South Kanara.

*698 *Q.*—Mahmud Schamnad Sahib Bahadur: With reference to the answer to clause (*c*) of question No. 118, dated 1st March 1927, will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have since called for a report regarding the nature and extent of the damages done by the Padne bar in Kasaragod taluk and is likely to be caused in the near future;

(*b*) whether they have received the report called for, and if so, what is the nature and extent of the damages caused; and

(*c*) whether they will place on the table this report, the former report and all the connected papers?

A.—(*a*) & (*b*) A report was called for and has been received. The hon. Member's attention is invited to the answer to question No. 147.

(*c*) G.O. No. 1315, dated 9th July 1927, containing the Board's and Collector's report is laid upon the table.

Closing of the Padne bar in South Kanara.

*699 *Q.*—Mahmud Schamnad Sahib Bahadur: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the southward progress of the Padne bar in Kasaragod taluk has washed away thousands of acres of valuable lands, and hundreds of buildings, including dwelling houses, mosques and temples;

(*b*) whether the Government have received any further representations or memorial, from a large number of people, urging the necessity of taking urgent measures in the matter; and

(*c*) whether they will be pleased to take immediate steps to close the new bar and open the old one as reported by Mr. Vibert?

A.—(*a*), (*b*) & (*c*) The hon. Member's attention is invited to the answer to question No. 147 and the reports laid on the table in answer to question No. 698.

Alleged irregularity in issuing pattas in South Kanara.

*700 *Q.*—Mahmud Schamnad Sahib Bahadur: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that in South Kanara rough pattas are issued through village potails, who distribute them quite recklessly, without any responsibility, sometimes even to the opponents of the pattadars, only taking care to get a signature of delivery from some person or other; and

---

* Printed as Appendix III on page 218 infra.

19th October 1927]

(*b*) whether it is a fact that absent pattadars, and pattadars to whom rough pattas have not been issued, through the neglect of village potails, are said to be bound by the entries in such rough pattas?

A.—(*a*) The Government are not aware of any reason to suppose that there is any truth in these suggestions.

(*b*) Under the rules every endeavour should be made to secure prompt delivery of the rough pattas to the pattadars concerned; but non-resident and absentee pattadars must make their own arrangements for obtaining their rough pattas from the village officers.

For each village a suitable time and place is fixed at which objections and representations from the pattadars of that village are to be heard. A notice specifying the said time and place is, not less than ten days previously, displayed in the village cutcherry and is also published in the village by beat of tom-tom. If no objections or representation are made within the time fixed the pattas are issued finally subject to appeals to the Board of Revenue within the prescribed period. Even in its final form a patta is not conclusive proof of its contents.

Mr. J. A. Saldanha :—"The answer to clause (*a*) is, 'The Government are not aware of any reason to suppose that there is any truth in these suggestions.' May I know whether the Government have made any enquiry whether there is any truth in the suggestions, and, if not, why not?"

The hon. Mr. N. E. Marjoribanks :—"No, Sir, because they are not aware of any reason why they should."

Mr. J. A. Saldanha :—"The question is whether there is truth or not. How can Government presume that the allegation is a false one? I for one have heard stories to the effect . . . "

The hon. the President :—"I am sorry the hon. Member is arguing the matter."

Mr. J. A. Saldanha :—"Sir, I heard facts to the contrary."

The hon. the President :—"This is not the occasion for the hon. Member to make a statement. He is requested to put his supplementary question."

Mr. J. A. Saldanha :—"My statement is that what I have heard is contrary to what the hon. Member says in his answer."

The hon. the President :—"The supplementary question must be in the form of a question and not in the form of a statement made by the hon. Member."

Mr. K. R. Karant :—"May I know whether, if particular instances are given, he would be prepared to enquire into them?"

The hon. Mr. N. E. Marjoribanks :—"Certainly, Sir."

Mr. J. A. Saldanha :—"May I enquire whether in case of absentee landlords Government would be prepared to send them the pattas by registered post at the cost of the landlords, so that they might be aware that there is some sort of patta issued. The absentee landlords cannot know . . . "

[19th October 1927

The hon. the PRESIDENT :—" Again the hon Member is arguing."

The hon. Mr. N. E. MARJORIBANKS :—" The hon. Member's suggestion will receive attention."

Minor Irrigation

Prohibition of the erection of cross-bunds across the Innambur channel.

*701 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Innambur channel known as Raghavan Vaikal is the only recognized irrigation source for Thimmagudi, Madhavapuram and Innambur villages in Kumbakonam taluk, Tanjore district ;

(b) whether the mirasidars have enjoyed immemorially the right of erecting cross-bunds across the above channel whenever necessary so as to enable the channel water to rise to the level of the fields and to irrigate them ;

(c) whether the Revenue Divisional Officer, Kumbakonam, passed proceedings on 18th January 1927, prohibiting the erecting by mirasidars of cross-bunds and whether he communicated the order R. Dis. No. 3429 of 1926-A/5 to the mirasidars of Thimmagudi and Madhavapuram villages ;

(d) whether such a prohibition of an immemorial right will practically make the cultivation of several fields impossible, especially in times of low freshes ; and

(e) whether Government will be pleased to enquire into the matter and have the proceedings of the Revenue Divisional Officer, referred to above, cancelled ?

A.—(a) According to the settlement register the Raghavan Vaikal is the only recognized source of irrigation in the Thimmagudi and Madhavapuram villages. The sources of irrigation of the Innambur village according to the settlement register are (1) Esagaram Vaikal, (2) Thimmagudi Vaikal and (3) Gangadarapuram Vaikal.

(b), (c), & (d) The Government do not know if the facts are as suggested in these questions.

(e) No, as it is open to any ryot who considers that he is aggrieved by any order of the Revenue Divisional Officer to appeal to higher authorities.

Mr. T. ADINARAYANA CHETTIYAR :—" Taking the answer to clauses (b), (c) and (d), that 'the Government do not know if the facts are as suggested in these questions', may I ask the hon. Member for Revenue whether the facts are not as stated in the question ? "

The hon. Mr. N. E. MARJORIBANKS :—" The answer is in the negative."

Mr. T. ADINARAYANA CHETTIYAR :—" The question was sent on the 9th of August, and I think they had sufficient time to make enquiries. May I still request the hon. the Revenue Member to ascertain whether the facts are as stated in the question ? "

The hon. Mr. N. E. MARJORIBANKS :—" The answer is contained in clause (e)."